

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION**

**IN RE:**

**CASE NUMBER:**

**JAMES ALFRED ROSE, III**

**08-00625-8-JRL**

**DEBTOR(S)**

**(CHAPTER 7)**

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**RESPONSE TO MOTION TO LIFT STAY  
FILED BY CHASE HOME FINANCE, LLC (DE 57)**

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The undersigned Trustee serving in the above referenced case herewith responds and objects to the Motion for Relief from Stay filed by Chase Home Finance, LLC in this case based upon the following:

This case was recently converted to Chapter 7 and the Chapter 7 Trustee needs time to conduct the Chapter 7 § 341 meeting of the creditors, and to receive and review certain documents and information. The Trustee is further informed that there is substantial equity in the property which is the subject of the Motion for Relief from Stay and is in the process of further investigation regarding the value of and potential benefit to the estate of a potential sale of the property.

Request for Account History: In accordance with Local Rule 4002-1(c), the Trustee hereby requests that the creditor promptly provide a statement of account showing a history of all advances, charges, payments, and credits, and the current payoff amount on the loan.

DATED: April 28, 2008

BUTLER & BUTLER, L.L.P.

s/ Algernon L. Butler, III

Algernon L. Butler, III  
Attorneys for the Trustee  
NC State Bar No. 20881  
P. O. Box 38  
Wilmington, NC 28402  
Telephone: (910) 762-1908  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that (s)he is over eighteen (18) years of age, and that the

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in the above captioned case was this day served upon the below named persons as follows:

By electronic service through CM/ECF:

Dean R. Davis  
Allen, MacDonald & Davis PLLC  
1508 Military Cutoff Road, Suite 102  
Wilmington, NC 28403

Sean M. Corcoran  
Brock & Scott, PLLC  
5121 Parkway Plaza Drive, Suite 300  
Charlotte, NC 28217

By mailing, postage prepaid, first class mail, or by certified mail return receipt requested if indicated below, or by facsimile if indicated below, of a copy of such instrument to such persons, parties and/or counsel at the address shown below:

Bankruptcy Administrator  
Post Office Box 3758  
Wilson, NC 27895-3758

James Alfred Rose, III  
519 Spencer Farlow Drive  
Carolina Beach, NC 28428

Dated: April 28, 2008

BUTLER & BUTLER, L.L.P.

s/ Michelle DeNittis  
P.O. Box 38  
Wilmington, NC 28402  
(910) 762-1908